

**6280.0350 AQUATIC PLANT CONTROL.**

Subpart 1. [Repealed, 33 SR 1721]

Subp. 1a. **Submersed aquatic plant control restrictions for riparian property owners and lessees.** The commissioner may issue an APM permit to a person who is an owner, lessee, or easement holder of land adjacent to a public water or to the agent of the owner, lessee, or easement holder to control submersed aquatic plants on up to 100 feet or one-half of the length of the person's shoreline, whichever is less, with the following exceptions:

A. for properties with less than 70 shoreline feet, up to 35 feet of shoreline may be controlled;

B. control may be allowed on more than 100 feet of shoreline owned or leased by resorts, commercial campgrounds, apartments, condominium complexes, townhouse associations, government units, and marinas; and

C. control may be allowed on up to the entire shoreline owned or leased by a person if the proposed method is selective for invasive aquatic plants.

Subp. 2. [Repealed, 33 SR 1721]

Subp. 2a. **Aquatic plant control in offshore areas.** The commissioner may issue an APM permit for offshore control subject to the provisions in subparts 3, item B, and 4.

Subp. 3. **Mechanical control restrictions.** Mechanical control of aquatic plants is subject to the following conditions:

A. a person who mechanically controls aquatic plants in a public water must immediately and permanently remove the vegetation from the water and dispose of it above the ordinary high water level;

B. permitted mechanical control may not exceed 50 percent of the total littoral area as determined by the commissioner, nor can the sum of permitted mechanical and pesticide control exceed 50 percent of the littoral area;

C. control methods may not excavate or substantially alter the course, current, or cross-section of public waters;

D. a person must conduct mechanical control in the same location each year unless the person obtains an APM permit authorizing a change in location;

E. a person may not place an automated aquatic plant control device in a public water unless the sticker provided with the APM permit is attached to the device, the person's dock, or another nearby location as described in the permit;

F. automated aquatic plant control devices may not be used if the bottom is predominantly soft sediment with an average depth of three inches or more; and

G. hydraulic jets and suction dredges may not be used.

**Subp. 4. Pesticide control restrictions.**

A. Pesticide control of aquatic plants in public waters may not exceed 15 percent of the littoral area, except that on waters that are 20 acres or less, pesticide control may be permitted on up to five acres or one-half the surface area of the pond, whichever is less. These limitations do not apply in the circumstances described in item B.

B. Larger percentages of the littoral area shall be treated at the discretion of the commissioner when authorized by permits issued prior to 1976. The waters affected by this provision are: Sunfish Lake in Dakota County; Cedar Island and Lost Lakes and Carson's and St. Louis Bays of Lake Minnetonka in Hennepin County; and Johanna, Owasso, Gervais, and McCarron Lakes in Ramsey County.

C. Item B expires five years after the effective date of this item. Before the expiration of item B, the commissioner shall develop a lake vegetation management plan as provided under part 6280.1000, subpart 2, for each of the waters listed in item B. The commissioner shall provide opportunities for the public to participate in the planning process, including a notice or news release in a local newspaper, at least one public meeting, and a 30-day comment period.

Subp. 5. [Repealed, 33 SR 1721]

Subp. 6. [Repealed, 33 SR 1721]

**Statutory Authority:** *MS s 103G.615*

**History:** *21 SR 1406; 33 SR 1721*

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